

REMARKS/ARGUMENTS

The Office Action mailed March 22, 2005 has been carefully considered.

Reconsideration in view of the following remarks is respectfully requested.

Claims 1, 2, 5, 9, 10, 13, 15, 16, 18 and 23 have been amended to further particularly point out and distinctly claim subject matter regarded as the invention. Support for these changes may be found in the specification, page 16, line 14 through page 19, line 22. The text of claims 3, 4, 6-8, 11 and 12 is unchanged, but their meaning is changed because they depend from amended claims.

Claims 14, 17, 19-22 and 24-35 have been canceled, without prejudice or disclaimer of the subject matter contained therein.

New claims 36-49 also particularly point out and distinctly claim subject matter regarded as the invention. Support for these claims may be found in the specification, page 16, line 14 through page 19, line 22.

With this amendment it is respectfully submitted the claims satisfy the statutory requirements.

The 35 U.S.C. § 102 Rejection

Claims 1-6, 9, 10, 13, 15, 18 and 23 were rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Sawyer¹. This rejection is respectfully traversed.

According to the M.P.E.P., a claim is anticipated under 35 U.S.C. § 102(a), (b) and (e) only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.²

Sawyer fails to teach or suggest "obtaining accounting start-stop event data from two or more accounting servers"

Claim 1 as amended includes the element "obtaining accounting start-stop event data from two or more accounting servers." The Final Office Action alleges that the billing center 44 is equivalent to an accounting server. If that is the case, then Sawyer still would not teach or suggest obtaining the start-stop event data from two or more accounting servers. The advantage of being able to obtain the start-stop event data from two or more accounting servers is that it allows the system to track user sessions even when the user has roamed between two or more points of presence, or even between two or more different service providers. Sawyer contains no such capability. As such, Applicant respectfully maintains that claim 1 as amended is in condition for allowance.

¹ U.S. Patent No. 5,828,737.

² Manual of Patent Examining Procedure (MPEP) § 2131. See also *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Sawyer fails to teach or suggest "obtaining accounting start-stop event data...via an information bus, wherein the information bus contains the accounting start-stop event data published by the two or more accounting servers"

Claim 1 as amended includes the element "obtaining accounting start-stop event data...via an information bus, wherein the information bus contains the accounting start-stop event data published by the two or more accounting servers." The Final Office Action alleges that the billing center 44 in Sawyer is equivalent to the accounting server, but fails to indicate who or what would be doing the obtaining (it appears that the accounting server uses the start-stop event data to compute a fee, but there is no indication that the start-stop event data is communicated outside the billing center 44, thus what component would be "obtaining" the data from the accounting server?). Nevertheless, it is clear that Sawyer does not teach or suggest publishing the accounting start-stop event data on an information bus. As such, Applicant respectfully maintains that claim 1 as amended is in condition for allowance.

Sawyer fails to teach or suggest "obtaining network flow data independent from said accounting start-stop event data from two or more routers within a network through two or more intermediary netflow collectors"

Claim 1 as amended includes the element "obtaining network flow data independent from said accounting start-stop event data from two or more routers within a network through two or more intermediary netflow collectors." The Final Office Action alleges that the BUMD 40 is equivalent to the intermediary netflow collector. However, the BUMD 40 would then be a single

intermediary netflow collector, not two or more intermediary netflow collectors. The advantage of being able to obtain the network flow data from two or more intermediary netflow collectors is that it allows the system to track user sessions even when the user has roamed between two or more points of presence, or even between two or more different service providers. Sawyer contains no such capability. As such, Applicant respectfully maintains that claim 1 as amended is in condition for allowance.

As to independent claims 13, 15, 16, 18, and 23, these claims contain one or more elements similar to that as described above with respect to claim 1, and thus Applicant respectfully maintains that these claims are also allowance for the same reason(s).

As to dependent claims 2-6, 9-12, and 36-49, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

The 35 U.S.C. § 103 Rejection

Claims 7, 8 and 12 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Sawyer. This rejection is respectfully traversed.

As to dependent claims 7, 8, and 12, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Conclusion

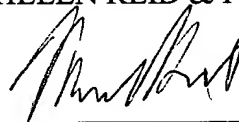
It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,

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